

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

UNITED LINENS CORP.,  
a New York corporation,

Plaintiff,

v.

TEXTILES FROM EUROPE, INC.,  
d/b/a VICTORIA CLASSICS,  
a New York corporation,

Defendant.

Civil Action No. 06 CV 430 (LBS) (RLE)

<b>USDC SDNY</b> <b>DOCUMENT</b> <b>ELECTRONICALLY FILED</b> DOC #: DATE FILED: <u>4-4-06</u>
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**JOINT DISCOVERY PLAN**

Pursuant to Fed. R. Civ. P. 16 and 26(f), Plaintiff United Linens Corp. ("United Linens") and Defendant Textiles From Europe, Inc. d/b/a Victoria Classics ("Victoria Classics") jointly submit the following proposed discovery plan pursuant to Fed. R. Civ. P. 16 and 26(f):

**I. FACT DISCOVERY SCHEDULE**

**1. Initial Disclosures.**

Initial disclosures will be made no later than April 18, 2006.

**2. Commencement of Fact Discovery.**

Fact discovery shall commence immediately, by service of initial document production demands and interrogatory requests. Responses to propounded discovery requests shall be served within thirty (30) days. Written discovery and production of documents shall proceed prior to scheduling of depositions. Depositions may commence after May 1,

2006 by which point it is expected that each party's production of documents in response to initial discovery requests shall be substantially complete.

- a. **Interrogatories.** Each party may propound no more than twenty-five (25) interrogatories, including subparts, subject to modification if new issues emerge subsequently.
- b. **Depositions.** Each party shall be limited to five (5) non-expert depositions. The parties anticipate that a total of approximately ten (10) depositions will be conducted in this matter. Depositions shall be limited to seven (7) hours, in accordance with the Federal Rules of Civil Procedure. Either party may seek leave of Court for additional time in which to depose the other party.

3. **Close of Fact Discovery.**

The parties shall complete all fact discovery within six (6) months from April 15, 2006.

4. **Discovery Limitations.**

The parties do not anticipate any discovery limitations at this time other than those set by the Federal Rules.

**II. EXPERT DISCOVERY SCHEDULE**

The parties anticipate that expert discovery will be conducted immediately after factual discovery is completed. The parties have agreed upon the following schedule setting forth the proposed deadlines with respect to expert disclosures and depositions:

United Linens' expert disclosures:	August 16, 2006
Depositions of United Linens' experts:	September 13, 2006
Victoria Classics' expert disclosures:	October 11, 2006
Depositions of Victoria Classics' experts:	November 8, 2006
United Linens' expert rebuttal report:	December 6, 2006

**III. ADDITIONAL ISSUES PURSUANT TO FED. R. CIV. P. 16 AND 26(f)**

**1. Joinder of Other Parties and Amendment of the Pleadings.**

All motions for joinder and/or amendment of the pleadings shall be made by July 5, 2006. A party shall have 14 days (unless granted additional leave of Court) in which to respond to any amended pleadings.

**2. Dispositive Motions.**

The parties may submit motions for summary judgment. Any motion for summary judgment or, to the extent required, any request for approval to file a motion for summary judgment shall be made by January 15, 2007.

**3. Proposed Dates for Final Pretrial Conference and Submission of Pre-Trial Order.**

The parties propose that a final pretrial conference be held on February 15, 2007 and that the pre-trial order be submitted on March 27, 2007. The parties anticipate that trial will take 2 days.

4. **Protective Order.**

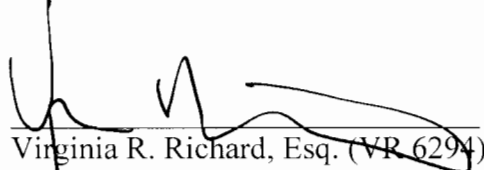
The parties agree that a Protective Order should be entered in this matter. The parties intend to submit such an order on consent for the Court's consideration.

5. **Alternative Dispute Resolution.**

At this stage of the proceedings, the parties do not believe this matter is appropriate for voluntary arbitration, mediation or some other form of ADR. As this matter progresses, any such procedure may be appropriate. The parties do not believe that this matter requires the appointment of a special master.

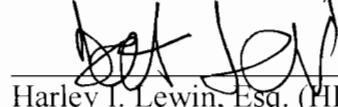
Dated: <sup>April 4</sup>~~March~~ \_\_, 2006

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